

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2009 – 2B - F

DATE OF NOTICE: FEBRUARY 12, 2009

Note: please refer to the last page of this notice for information regarding your rights and responsibilities pertaining to the Public Notice process and timeframes. Please feel free to contact us with any questions or concerns.

The Office of Water Quality issues the following NPDES FINAL PERMITS.

MINOR NEW-OPERATIONAL

AIRGAS MERCHANT GASES-NEW CARLISLE PLANT, Permit No. INJ063304, ST. JOSEPH COUNTY, 54354 Walnut Rd, New Carlisle, IN. This industrial facility will discharge 0.016 million gallons per day of non-process wastewater to an on-site retention basin. Permit Writer: Stan Rigney at 317/232-8709.

MINOR – RENEWALS

TOWN OF FARMERSBURG WWTP, Permit No. IN0021148, SULLIVAN COUNTY, CR 1125 N & CR 200 E, Farmersburg, IN. This municipal facility discharges 0.15 million gallons per day of treated sanitary wastewater into West Fork of Busseron Creek. Permit Writer: Trisha Williams at 317/234-4795.

TOWN OF KENNARD WWTP, Permit No. IN0040151, HENRY COUNTY, 6545 W CR 200 S, Kennard, IN. This municipal facility discharges 0.08 million gallons per day of treated sanitary wastewater into Montgomery Creek. Permit Writer: Leigh Voss at 232-8698.

TOWN OF STAUNTON WWTP, Permit No. IN0025224, CLAY COUNTY, 5012 Happy Hollow Rd, Staunton, IN. This municipal facility discharges 0.1 million gallons per day of treated sanitary wastewater into Sulfur Creek. Permit Writer: Trisha Williams at 317/234-4795.

MINOR – MODIFICATION

VISION POINT MINISTRIES WWTP, Permit No. IN0031411, WHITLEY COUNTY, 5050 E 800 S, Columbia City, IN. This municipal permit modification reflects a transfer of ownership from Roanoke Baptist Church to Vision Point Ministries Inc. Permit Writer: Leigh Voss at 232-8698.

TERMINATION

NOB HILL WWTP, Permit No. IN0041891, LAKE COUNTY, 33rd Lane & Shelby St, Hobart, IN. This municipal permit is terminated because the facility is connected to the City of Hobart collection system. Permit Writer: Jason House at 317/233-0470.

APPEAL PROCEDURES FOR FINAL PERMITS

The Final Permits are available for review & copies at IDEM, Indiana Government Center, North Bldg, 100 N Senate Ave, Indianapolis, IN, Rm 1203, Office of Water Quality/NPDES Permit Section, from 9 – 4, M - F (copies 10¢ per page). Each Final Permit is available at the respective, local County Health Department. **Please tell others you think would be interested in this matter.** Regarding your rights and responsibilities pertaining to the Public Notice process and timeframes, please refer to IDEM websites: <http://www.in.gov/idem/5474.htm> and IDEM Permit Guide (Public Participation): <http://www.in.gov/idem/4172.htm>.

APPEAL PROCEDURE: Any person affected by the issuance of the Final Permit may appeal by filing a **Petition for Administrative Review** with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting the appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

TIMELY FILING: The **Petition for Administrative Review** must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. The **Petition for Administrative Review** represents a request for an Adjudicatory Hearing; therefore it must include the following information:

- **state the name and address** of the person making the request;
- **identify the interest** of the person making the request;
- **identify any persons represented** by the person making the request;
- **state specifically the reasons** for the request;
- **state specifically the issues proposed for consideration** at the hearing;
- **identify the Final Permit Rule terms and conditions** which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the **Petition for Administrative Review** desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a **Petition for Stay** must be included in the appeal request, identifying those parts to be stayed. All Petitions must be mailed or delivered, within the timeframe noted above, to the following address:

**Environmental Law Judge
Office of Environmental Adjudication (OEA)
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204
317/232-8591.**

STAY TIME FRAME: If the Petition(s) is filed **within** eighteen (18) days of the date of this Public Notice, the effective date of any part of the permit, within the scope of the **Petition for Stay** is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

HEARING NOTIFICATION: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the **Petition for Administrative Review**. The **Petition for Administrative Review** must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the **OEA at 317/232-8591**.